

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed August 25, 2006.

In the Office Action, the Examiner rejected claims 29-31 and 34-42 under 35 U.S.C. § 101; claims 1-3, 6-17, 20-31, 34-45 and 48-55 under 35 U.S.C. § 112; and claims 1, 6-15, 20-29, 34-43 and 48-55 under 35 U.S.C. § 103.

Applicant has amended independent claims 1, 15, and 29 to clarify embodiments of the invention.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 101

The Examiner rejects claims 29-31 and 34-42 under 35 U.S.C. § 101 because these claims are allegedly directed to non-statutory subject matter.

Applicant has amended these claims as suggested by the Examiner. In particular, Applicant respectfully submits that a computer-readable storage medium having stored thereon instructions is clearly patentable subject matter under 35 U.S.C. § 101.

Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. § 101.

Rejection Under 35 U.S.C. § 112

The Examiner rejects claims 1-3, 6-17, 20-31, 34-45 and 48-55 under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In particular, Applicant has amended independent claims 1, 15, and 29, as suggested by the Examiner to overcome this rejection.

Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. § 112.

Rejection Under 35 U.S.C. § 103

The Examiner rejects claims 1, 6-15, 20-29, 34-43 and 48-55 under 35 U.S.C. § 103(a) as being allegedly obvious over U.S. Patent No. 5,905,713 to Anderson et al. (hereinafter Anderson) in view of U.S. Patent No. 5,408,465 to Gusella et al. (hereinafter Gusella) and even further in view of U.S. Patent No. 6,580,452 to Gangitano (hereinafter Gangitano).

Applicant has amended independent claims 1, 15, and 29 to clarify embodiments of the invention.

Applicant respectfully submits that the limitations of Applicant's amended independent claims 1, 15, and 29 are not taught or suggested by Anderson in view of Gusella and even further in view of Gangitano or in view of the other references cited in the Office Action.

Applicant respectfully submits that amended independent claims 1, 15, and 29 are clearly patentable over the prior art of record and should be allowable, as well as the claims that depend therefrom.

Applicant respectfully requests that the Examiner allow amended independent claims 1, 15, and 29, and the claims that depend therefrom, and pass these claims to issuance.

Conclusion

In view of the remarks made above, it is respectfully submitted that pending claims 1, 9, 11-15, 23, 25-29, 37, and 39-42 are allowable over the prior art of record. Thus, Applicant respectfully submits that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 1/23/2007

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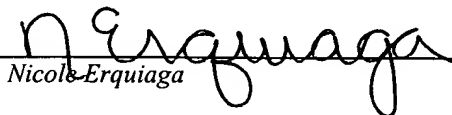
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